

**2003 DRAFTING REQUEST****Bill**Received: **02/04/2003**Received By: **pdykman**Wanted: **As time permits**

Identical to LRB:

For: **Spencer Black (608) 266-7521**By/Representing: **Bill Graf**This file may be shown to any legislator: **NO**Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **Legislature - miscellaneous  
Elections - miscellaneous  
Redistricting**Extra Copies: **JTK  
RJM**Submit via email: **YES**Requester's email: **Rep.Black@legis.state.wi.us**

Carbon copy (CC:) to:

**Pre Topic:**

No specific pre topic given

**Topic:**

State Assembly consists of 56 members and the State Senate 14 members

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	pdykman 02/05/2003	kgilfoy 02/05/2003	jfrantze 02/06/2003	_____	sbasford 02/06/2003		State
/1	pdykman 02/07/2003	kgilfoy 02/07/2003	pgreensl 02/07/2003	_____	amentkow 02/07/2003	amentkow 02/07/2003	State

02/07/2003 03:08:16 PM

Page 2

FE Sent For:

<END>

→ At Intro.

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/P1	pdykman 02/05/2003	kgilfoy 02/05/2003 11-2/7 kmf	jfrantze 02/06/2003 27 PG	27 JTB JTB	sbasford 02/06/2003	11 for assembly	State
FE Sent For:				<END>			

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/P1	pdykman	1/p1 - 2/5/03 King	Jo 3/6	Jo/Pg 2/6			

FE Sent For:

&lt;END&gt;

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1926/P1dn

PJD: [signature]

February 4, 2003

[signature]

Dear Rep. Black:

Your request complies with Article IV, section 2. ✓

Your request requires <sup>that</sup> a new apportionment plan be enacted pursuant to Article IV, section 3. I believe since the legislature has not acted under that section in this decade, the legislature probably could do so, but I don't think it is certainty. The draft would need to address this issue. ↗ a

Your request complies with Article IV, section 4.

Article IV, section 5 provides for 4-year terms for senators. Senators elected in 2002 were elected for terms ending in 2006. I don't know how a bill can constitutionally reduce the term of those "carryover senators" from the 4 years set by the constitution to 2 years set by the statute. That could be done by constitutional amendment, if desired. (C) (-)

I don't know how that could be done by bill because 14 senators is less than half of the current senate. I don't know how that could be done by bill even if the number remaining were 100% of the carryover members in the year 17 are carried over, instead of the 14 set out in your request. Article IV, section 5 requires an election for senators every two years when representatives are elected and requires that each election be from either the ~~odd~~ or the even-numbered districts (0.5 senators more than half and 0.5 senators less than half). in which

old-numbered

Atty. Peter J. Dykman  
General Counsel  
Phone: (608) 266-7098  
E-mail: peter.dykman@legis.state.wi.us

## PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

*D-NOTE*

*Gen. Asst.*  
1 AN ACT *to repeal* 4.001 (2) to (5) and 4.009 to 4.99; and *to amend* 4.001 (title),  
2 4.001 (1) and 13.01 of the statutes; **relating to:** reducing the number of  
3 ~~legislators.~~ *legislative districts*

---

***Analysis by the Legislative Reference Bureau*** *consists of*

This bill provides that the senate consists of 14 members and the assembly 56 representatives to the assembly, effective with election occurrences leading to the 2004 general election.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4 ~~SECTION 1. 4.001 (title) of the statutes is amended to read:~~

5 **4.001 Legislative redistricting; equal population.**

6 History: 1983 a. 29, 192.

SECTION 2. 4.001 (1) of the statutes is *renumbered 4.001 and* amended to read:

7 ~~4.001 (1) Based on the certified official results of the 1980 census of population~~  
8 ~~of Wisconsin, as received by this state from the U.S. bureau of the census on March~~

*with*

1 ~~23, 1981, under P.L. 94-171, the Effective beginning for election occurrences leading~~  
2 to the 2004 general election, the state is divided into 33 14 senate districts, each  
3 composed of 3 4 assembly districts. Each senate district shall be entitled to elect one  
4 member of the senate. Each assembly district shall be entitled to elect one  
5 representative to the assembly.

History: 1983 a. 29, 192.

6 SECTION 3. 4.001 (2) to (5) of the statutes are repealed.

7 SECTION 4. 4.009 to 4.99 of the statutes are repealed.

8 SECTION 5. 13.01 of the statutes is amended to read:

9 13.01 Number of legislators. The Effective beginning for election  
10 occurrences leading to the 2004 general election, the senate consists of 33 14 and the  
11 assembly of 99 56 members. *with*

History: 1971 c. 304.

12 SECTION 6. Nonstatutory provision. Within 60 days after the effective date  
13 of this ~~law~~ *subsection*, the joint legislative council shall prepare and introduce legislation  
14 addressing any transitional issues relating to reducing the size of the legislature,  
15 including changes to the election laws and the creation of an independent citizens  
16 redistricting commission to draw the new district lines.

17 (END)

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1926/P1dn  
PJD:kmg:jf

February 4, 2003

Dear Rep. Black:

Your request complies with Article IV, section 2.

Your request requires that a new apportionment plan be enacted pursuant to Article IV, section 3. I believe since the legislature has not acted under that section in this decade, the legislature probably could do so, but I don't think it is a certainty. The draft would need to address this issue.

Your request complies with Article IV, section 4.

Article IV, section 5 provides for 4-year terms for senators. Senators elected in 2002 were elected for terms ending in 2006. I don't know how a bill can constitutionally reduce the term of those "carryover senators" from the 4 years set by the constitution to 2 years set by the statute. That could be done by constitutional amendment, if desired.

I don't know how that could be done by bill because 14 senators is less than half of the current senate. I don't know how that could be done by bill even if the number remaining were 100% of the carry-over members in the year in which 17 are carried over, instead of the 14 set out in your request. Article IV, section 5 requires an election for senators every two years when representatives are elected and requires that each election be from either the odd-numbered or the even-numbered districts (0.5 senators more than half and 0.5 senators less than half).

Atty. Peter J. Dykman  
General Counsel  
Phone: (608) 266-7098  
E-mail: [peter.dykman@legis.state.wi.us](mailto:peter.dykman@legis.state.wi.us)



**Dykman, Peter**

---

**From:** Dykman, Peter  
**Sent:** Friday, February 07, 2003 1:43 PM  
**To:** Barman, Mike  
**Cc:** Graf, Bill  
**Subject:** RE: LRB 1926

**Tracking:** Recipient    Read  
Barman, Mike  
Graf, Bill    Read: 02/07/2003 1:50 PM

Please jacket for assembly

-----Original Message-----

**From:** Graf, Bill  
**Sent:** Friday, February 07, 2003 1:39 PM  
**To:** Dykman, Peter  
**Subject:** LRB 1926

Peter,

Rep. Black would like LRB-1926 jacketed as is for introduction as an Assembly bill.

**Bill Graf**

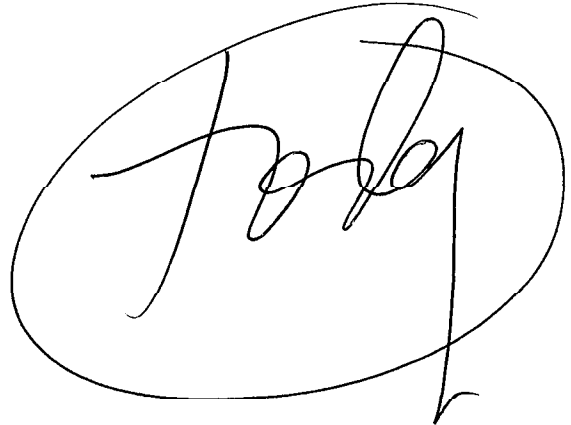
Assistant to Representative

**Spencer Black**

214 North, State Capitol  
P. O. Box 8952  
Madison, WI 53708  
(608) 266-7521

02/07/2003

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~



1 **AN ACT to repeal 4.001 (2) to (5) and 4.009 to 4.99; to renumber and amend**  
2 **4.001 (1); and to amend 13.01 of the statutes; relating to: reducing the**  
3 **number of legislative districts.**

---

***Analysis by the Legislative Reference Bureau***

This bill provides that the senate consists of 14 members and the assembly consists of 56 representatives to the assembly, effective with election occurrences leading to the 2004 general election.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4 **SECTION 1.** 4.001 (1) of the statutes is renumbered 4.001 and amended to read:  
5 **4.001 Legislative redistricting; equal population.** ~~Based on the certified~~  
6 ~~official results of the 1980 census of population of Wisconsin, as received by this state~~  
7 ~~from the U.S. bureau of the census on March 23, 1981, under P.L. 94-171, the~~  
8 Effective beginning with election occurrences leading to the 2004 general election,

1 the state is divided into ~~33~~ 14 senate districts, each composed of ~~3~~ 4 assembly  
2 districts. Each senate district shall be entitled to elect one member of the senate.  
3 Each assembly district shall be entitled to elect one representative to the assembly.

4 **SECTION 2.** 4.001 (2) to (5) of the statutes are repealed.

5 **SECTION 3.** 4.009 to 4.99 of the statutes are repealed.

6 **SECTION 4.** 13.01 of the statutes is amended to read:

7 **13.01 Number of legislators.** The Effective beginning with election  
8 occurrences leading to the 2004 general election, the senate consists of ~~33~~ 14 and the  
9 assembly of ~~99~~ 56 members.

10 **SECTION 5. Nonstatutory provisions.**

11 (1) Within 60 days after the effective date of this subsection, the joint legislative  
12 council shall prepare and introduce legislation addressing any transitional issues  
13 relating to reducing the number of legislative districts, including changes to the  
14 election laws and the creation of an independent citizens redistricting commission  
15 to draw the new district lines.

16 (END)

## Emery, Lynn

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**From:** Emery, Lynn  
**Sent:** Monday, February 10, 2003 9:03 AM  
**To:** Graf, Bill  
**Subject:** LRB-1926/1 (attached as requested)



03-1926/1

Lynn Emery  
Program Assistant  
Legislative Reference Bureau  
608-266-3561  
[lynn.emery@legis.state.wi.us](mailto:lynn.emery@legis.state.wi.us)